

ORDINANCE NO. 2014-8
AN ORDINANCE AMENDING CHAPTERS 4 AND 6 OF THE EDINA CITY CODE
CONCERNING ALCOHOLIC BEVERAGES AND AMUSEMENT DEVICES

THE CITY OF EDINA ORDAINS:

Section 1. Section 4-34, subsection (e) of the Edina City Code is amended to read as follows:

(e) On-sale intoxicating liquor licenses. In addition to the requirements of subsection (a) of this section, no on-sale intoxicating liquor license shall be granted to any establishment other than a restaurant or hotel located in the PCD-2, PCD-3, POD-2 subdistricts or the mixed development district as established by chapter 36.; ~~any amusement or recreation establishment including amusement arcades, pool halls or establishments offering amusement devices which means:~~

- ~~(1) A machine which upon the insertion of a coin, slug or other token, or upon payment of a fee, operates, or may be operated, as a game, contest or other amusement.~~
- ~~(2) Miniature pool tables, bowling machines, shuffle boards, electric rifle or gun ranges, and machines patterned after baseball, basketball, hockey and similar games and like machines.~~
- ~~(3) Amusement devices designated for and used exclusively by children, such as, but not limited to, kiddie cars, miniature airplane rides, mechanical horses and other miniature mechanical devices.~~

Section 2. Section 4-34 of the Edina City Code is amended by adding subsection (g) to read as follows:

(g) In addition, no on-sale intoxicating liquor license shall be granted to any establishment that has amusement devices, except to a restaurant in the PCD-3 subdistrict subject to the following:

- (1) The licensed premises shall be at least 30,000 square feet in gross floor area.
- (2) The licensed premises shall be located on a site that provides at least 250,000 square feet in total building area, including primary buildings and any outlot building.
- (3) Not more than 40 percent (40%) of the gross floor area of the licensed premises shall be used for operation of amusement devices regulated by this section.
- (4) The licensed premises shall contain at least 200 seats and provide a full food menu during all hours that it is open to the general public.
- (5) All regulated amusement devices shall be licensed in accordance with Section 6-92 and shall be located on the interior of the premises.
- (6) The licensed premises shall be at least 500 feet from single dwelling or other residential buildings. This distance shall be measured from the perimeter of the licensed premises to the closest face of the residential building.

Section 3. Sections 6-91, 6-100 and 6-101 of the Edina City Code are amended to read as follows:

Section 6-91. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Machine or amusement device means any machine, contrivance or device, including, without limitation, video, electronic or mechanical, of any of the following types:

- (1) A machine which upon the insertion of a coin, slug or other token, or upon payment of a fee, operates, or may be operated, as a game, contest or other amusement only and which contains no automatic payoff device for the return of money, coins, merchandise, checks, tokens or any other thing or item of value; provided, however, that such machine may be equipped to permit a free play or game or allow the payoffs provided in Sections 6-100 and 6-101.
- (2) Miniature pool tables, bowling machines, shuffle boards, electric rifle or gun ranges, and machines patterned after baseball, basketball, hockey and similar games and like machines which may be played solely for amusement and not as gambling devices, and which machines are played by the insertion of a coin, slug or other token, or upon payment of a fee and which may be equipped to permit a free play or game or allow the payoffs provided in Sections 6-100 and 6-101.
- (3) Amusement devices designated for and used exclusively by children, such as, but not limited to, kiddie cars, miniature airplane rides, mechanical horses, and other miniature mechanical devices, not operated as a part of or in connection with any carnival, circus, show or other entertainment or exhibition.

Sec. 6-100. Payoff.

It shall be unlawful for the licensee, or for the owner, lessee or operator of the establishment where such machine is located, to give any money, prize or reward other than a free game registered to the same machine. Provided, however, payoffs based on the skill of the player, may be given by discharge of tickets, tokens, merchandise or any other thing of value which has a wholesale value no greater than ten (10) times the cost to play or operate the machine a single time, but not to exceed ten dollars (\$10.00). ~~token, merchandise or any other thing of value or any reward or prize in lieu of free games registered to such machine, and all free games so registered shall be played on the machine registering such free game, and there shall be no device on the machine whereby the operator can cancel registered free games.~~

Sec. 6-101. Automatic payoff.

No person shall keep, maintain, sell or permit to be operated any machine which has been converted into an automatic payoff device which shall discharge coins, checks or other tokens to the operator or player of such machine. No person shall convert any machine into an automatic payoff device. Provided, however, machines which, based on the skill of the player, discharge money, checks, tickets, tokens, merchandise or any other thing of value which has a wholesale value no greater than ten (10) times the cost to play or operate the

machine a single time, but not to exceed ten dollars (\$10.00) may be kept, maintained or operated subject to the provisions of this article.

Section 4. This ordinance is effective immediately upon its passage and publication.

First Reading: June 3, 2014
Second Reading: June 17, 2014
Published: June 26, 2014

Attest Debra A. Mangen, City Clerk

James B. Hovland, Mayor